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09/324,459 06/02/99 HENITS

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020583
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WM02/0322

EXAMINER

TITLE B

ART UNIT

PAPER NUMBER

2642

DATE MAILED:

03/22/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Sim

Office Action Summary

Application No.

09/324,459

Applicant(s)

HENITS, JOHN

Examiner

Benny Q. Tieu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

There are two sets of claims 32-34. The second set of claims 32-34 have been renumbered as claims 35-37, respectively.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10, 13-15, and 24-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Knitl (U.S. Patent No. 5,195,128).

Regarding claim 1, Knitl teaches a multi-stage data logging system comprising:

- a) a telecommunications ("telecom") stage (Fig. 1, Private Branch Exchange) receiving input from a plurality of input channels (Fig. 1, T1...Tn);
- b) a recorder stage having one or more recorders (Fig. 1, SP and RAM in Voice Mail Server), at least one recorder storing data associated with input received from at least one of said plurality of input channels (column 3, lines 29-35);
- c) a distribution stage (in Voice Mail Server "VMS") providing access to data stored in the recorder stage (SP and RAM) (column 3, lines 36-41);
- d) a first interface linking the telecom (Fig. 1, PBX) and the recorder stages (VMS) and a second interface linking the recorder and the distribution stages (in VMS); wherein at least two stages of the system (PBX and VMS) are physically separable and in operation can be located wide distances apart (Figs. 1 & 2).

Regarding claim 2, Knitl further teaches the data logging system wherein the telecom stage comprises:

- a) a first interface (in PBX) capturing signals from said plurality of input channels (T1...Tn);
- b) one or more signal processors converting captured signals into data having a predetermined format (column 3, line 66 through column 4, line 1); and
- c) a second interface for transmitting said converted data to said recorder stage (column 4, lines 2-4).

Regarding claim 3, Knitl further teaches the data logging system wherein the telecom stages further comprises at least one analog to digital signal converter (A/D converter in Fig. 1).

Regarding claim 4, Knitl further teaches the data logging system wherein said one or more data processors provide data compression (column 4, line 25).

Regarding claim 5, Knitl further teaches the data logging system wherein the telecom stage provides time stamping of the received input (column 3, line 44).

Regarding claim 6, Knitl further teaches the data logging system wherein the telecom stage provides authentication of signals from said plurality of input channels (column 5, lines 8-11).

Regarding claim 7, Knitl further teaches the data logging system wherein said one or more data processors encrypt the converted data (column 5, lines 28-37).

Regarding claim 8, Knitl further teaches the data logging system wherein the recorder stage comprises a controller for directing and monitoring recorder stage operations, and each recorder comprises:

- a) a first interface receiving data from the telecom stage (Fig. 1, S);
- b) a buffer for transitional data storage (Fig. 1, SP and RAM);
- c) a hard disk drive for data storage (Fig. 1, SP and RAM); and
- d) a second interface for transmitting stored data to the distribution stage (column 4, lines 39-68).

Regarding claims 9 and 14, Knitl further teaches the data logging system wherein the recorder stage still further comprises an archive storage device for archiving data (Fig. 1, SP and RAM).

Regarding claims 10 and 15, Knitl further teaches the data logging system wherein said archive storage device is fixed (Fig. 1, SP and RAM).

5 11. The data logging system of claim 9 wherein said archive storage device is a RAID array.

12. The data logging system of claim 9 wherein said archive storage device is removable.

Regarding claim 13, see column 5, lines 1-37.

Regarding claim 24, Knitl teaches a multi-stage data logging system comprising:

a) a first means (Fig. 1, PBX) for receiving signals from one or more input channels (Fig. 1, T1...Tn);

b) a second means (Fig. 1, VMS) for recording data associated with received signals from T1...Tn;

c) a third means (Fig. 1, VMS) for retrieving stored data and distributing retrieved data to one or more output channels (T1...Tn);

wherein at least two of said first, second, and third means (PBX and VMS) are physically separable and can operate wide distances apart (Figs. 1 & 2).

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Regarding claim 25, Knitl further teaches the data logging system further comprising an archive storage device for archiving data from said one or more input channels (Fig. 1, SP & RAM).

Regarding claim 26, it should be noticed that Knitl teaches a voice system.

Regarding claim 27, Knitl teaches a data logger, comprising:

- a telecommunication device (Fig. 1, PBX) receiving input from a plurality of data sources (Fig. 1, T1...Tn);

- a processor converting input from said plurality of data sources to one or more data formats (column 3, line 66 through column 4, line 1);

- a memory for storing converted data corresponding to the received input from said plurality of data sources (Fig. 1, SP and RAM);

- a communication path (path between PBX and VMS); and

- a server (Fig. 1, VMS) transferring stored data from one or more of said plurality of data sources (SP & RAM) via the communication path (path between PBX and VMS) to at least one remote user (Fig. 1, T1...Tn).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 11-12 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knitl.

Regarding claims 11-12 and 16-17, RAID and removable disks are well known in the art (examiner takes official notice for this effect). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of RAID or removable disks as well known in the art into the method and system disclosed by Knitl for redundant purposes.

6. Claims 18-23 and 28-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knitl as applied to claim 1 above, and further in view of Steele (U.S. Patent No. 4,692,819).

Regarding claims 18-23 and 28-34, Knitl fails to teach a method and system for recording information on Web server and Internet. However, Steele teaches a method and apparatus for controlling the position of a transported Web wherein a web of magnetic tape is connected to an apparatus for recording and reproducing of video information from the tape (column 4, lines 32-57). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of Web server as taught by Steele into the method and system disclosed by Knitl in order for a recorder no longer limited to record voice mail only, but it can be operated to record and reproduce of video information on the Web.

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7. Claims 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knitl, and further in view of Daly et al. (U.S. Patent No. 5,819,005).

Regarding claim 35, the limitations of the claim are rejected for the same reasons as set forth in previous claims. Knitl fails to teach a backup recorder that is used to backup all the records in case a malfunction recorder is detected. However, Daly discloses this feature (column 3, lines 41-47). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of backup recorder as taught by Daly into the method disclosed by Knitl in order to backup all information in case either of the recorder is destroyed for any reason.

Regarding claims 36 and 37, the limitations of the claim are rejected for the same reasons as set forth in previous claims. Knitl fails to teach the feature of increasing channels for the recording capacity in case of input channels is more than the recording channels. However, Daly teaches this feature (Abstract, column 1, lines 19-29, and column 2, lines 8-30). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of increasing channels for recorder as taught by Daly into the method disclosed by Knitl so that the capacity of a logger can be increased as required.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Barbier et al. (U.S. Patent No. 5,142,527) teaches a voice message equipment for an automatic exchange. Kurano et al. (U.S. Patent No. 5,813,010) teaches an information storage and information transmission media with parental control. Dilip et al. (U.S. Patent No. 6,094,673) teaches a method and apparatus for generating agent scripts.

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-6306, (for formal communications intended for entry, please label the response "EXPEDITED PROCEDURE")

Or: (703) 308-6296, (for informal or draft communication, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benny Q. Tieu whose telephone number is (703) 305-2360. The examiner can normally be reached on Monday-Friday: 6:30AM - 5:00PM.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-6306 for regular communications and (703) 308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Benny Q. Tieu
Examiner
Art Unit 2642

BQT
March 14, 2001


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